

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14596 of the Embassy of the Republic of Korea, pursuant to Article 46 of the Zoning Regulations (11 DCMR 1000) for permission to locate a chancery annex accessory to the existing chancery at 2320 Massachusetts Avenue, N.W., in a D/R-3 District at premises 2362 Massachusetts Avenue, N.W., (Square 2507, Lot 49).

HEARING DATE: June 10, 1987

DECISION DATE: June 10, 1987 (Bench Decision)

INTRODUCTION

The application was filed on behalf of the Government of Korea to occupy the premises at 2362 Massachusetts Avenue, N.W. as a chancery annex accessory to the existing chancery at 2320 Massachusetts Avenue, N.W. The application was considered by the Board of Zoning Adjustment (the "Board") in accordance with the requirements of Article 46 of the Zoning Regulations. Article 46 was adopted by the Zoning Commission to implement Section 206 of the Foreign Missions Act (Title II, Public Law 97-241, 96 Stat. 286, August 24, 1982). The public hearing was conducted as a rulemaking proceeding under Chapter 6 of the Supplemental Rules of Practice and Procedure before the Board.

APPLICATION

The site at 2362 Massachusetts Avenue is rectangular in shape with a frontage of 25 feet along Massachusetts Avenue and a depth of 70 feet. The site comprises 109.02 square feet and is improved with four story plus basement structure.

The lot to the west of the site is intended to accommodate parking for the subject structure and the Ambassador's office which is located on the lot directly west of the parking lot. The Republic of Korea occupies the subject site as a chancery without a valid certificate of occupancy. Prior to this use the structure was occupied as a private residence.

The site will be occupied by 15 to 20 diplomatic and support staff members. The diplomatic personnel will be primarily concerned with economic and commercial governmental trade matters. There will be few visitors to the site.

No exterior or interior structural modifications are planned. The exterior of the structure will maintain a residential appearance.

#### CRITERIA

In considering the application, the Board must apply the specific criteria set forth in Section 4602 of the Zoning Regulations (11DCMR 1001) which are as follows:

- A. Paragraph 4602.11 The international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's capital;
- B. Paragraph 4602.12 Historic preservation, as determined by the Board of Zoning Adjustment in carrying out this Section; and in order to ensure compatibility with historic landmarks and historic districts, substantial compliance with District of Columbia and federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks;
- C. Paragraph 4602.13 The adequacy of off-street or other parking and the extent to which the area will be served by public transportation to reduce parking requirements, subject to such special security requirements as may be determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services;
- D. Paragraph 4602.14 The extent to which the area is capable of being adequately protected, as determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services;
- E. Paragraph 4602.15 The municipal interest, as determined by the Mayor; and
- F. Paragraph 4602.16 The Federal interest, as determined by the Secretary of State.

#### EVALUATION

With respect to the six criteria identified in the Regulations, the Board states the following:

- A. The international obligation of the United States  
- By letter dated May 21, 1987, the Director of the Office of Foreign Missions of the Department

of State, the delegated representative of the Secretary of State, determined that the obligation of the United States to facilitate the acquisition of adequate facilities for foreign missions will be served by the approval of the application.

- B. Historic Preservation - The structure is located in the Massachusetts Avenue Historic District but is not an historic landmark. Since the applicant does not intend to alter, modify or demolish the structure, processing pursuant to the Historic District and Historic Landmark Protection Act of 1978, D.C. Law 2-144 is not required. Further, the Commission of Fine Arts declined to review the application despite its Shipstead-Luce jurisdiction because of the absence of structural modifications.
- C. Parking and transportation - The Zoning Regulations require that one parking space be provided per each 800 square feet of gross floor area. The combined floor area of both the subject structure and the Ambassador's office is 17,588 square feet requiring that 22 parking spaces be provided. The parking lot between the two structures can accommodate 22 cars. Eight of the 22 spaces will be for stacked parking.
- D. Protection - The Office of Foreign Missions has reported that the property is near the present chancery facilities of the Embassy and will require no special security requirements.
- E. Municipal interests - The Director of Planning, the delegated representative of the Mayor, by memorandum dated June 1, 1987, recommended approval of the Application conditioned upon the provision of 22 parking spaces in the configuration portrayed in the applicant's site plan. The Office of Planning reported that this level of parking is "more than adequate to service the two buildings relying upon it and it will prevent spillover adverse parking impacts upon the surrounding area".
- F. Federal interest - The office of Foreign Missions determined that approval of the application would be in the Federal interest and consistent with reciprocal interests of the United States in Korea. The Korean Government accommodated the acquisition of property in Seoul by the United States Government and the State Department granted its approval to the Korean Government to purchase property in the District of Columbia.

ADVISORY NEIGHBORHOOD COMMISSION

Advisory Neighborhood Commission (ANC) 1D by letter dated June 3, 1987 reported that both ANC Commissioners voted in favor of the application at a duly called meeting. A week later, one commissioner changed his vote to "against". Of the seven residents attending the meeting and voting on the application, five voted in favor; two against. The ANC reported that the request poses no "specified problems."

DECISION

On the basis of the record before it and the criteria of Section 4602 of the Zoning Regulations, the Board determines that the standards of the Zoning Regulations have been met by this application. Accordingly, it is therefore hereby ORDERED that this application is APPROVED.

VOTE: 5-0 (Charles R. Norris, Paula L. Jewell, Reginald Griffith, John G. Parsons and Carrie L. Thornhill to approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER: JUL 24 1987

UNDER 11 DCMR 3103 OF, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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